

REMARKS

Applicants respectfully request reconsideration and allowance of the above-captioned application. Claims 1-12 and 28-56 remain pending in the application. Claims 22-27 have been canceled.

It is noted with appreciation that the Examiner has identified priority reference S980223 as antedating the applied prior art.

Claims 1, 14, 15, 17, 20, 21, 39, 45 and 51 have been rejected under the judicially created doctrine of obviousness-type double patentable over claims 2 and 6 of U.S. Patent No. 6,636,833 to Flitcroft et al. Without passing on the appropriateness of this rejection, a Terminal Disclaimer is concurrently filed herewith to avoid the issue.

Claims 1-11 and 13-56 have been rejected under 35 U.S.C. §102(e) as being anticipated by Cohen (U.S. Patent No. 6,422,462). Claim 12 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Cohen.

With regard to 35 U.S.C. §102(e) rejection of the claims 1-11, 14, 15 and 28-30, the foreign priority documents S980223 provides clear support with the features recited in independent claims 1, 14 and 15. It is submitted that support can be found at page 6, line 17- page 7, line 2 and page 7, lines 10-21, page 8, lines 15-29, page 11, lines 17-25, and on page 11 line 28 – page 12, line 13 of the priority document for all of the features recited in independent claims 1, 14 and 15 and to the degree that the Office perceives a lack of support, the Office is asked to point to specific disclosure of the same in the Cohen patent. A certified copy of the foreign priority document S980223 was provided in parent U.S. Patent Application Serial No. 09/506,830.

Accordingly, it is respectfully submitted that the Cohen reference is disqualified under 35 U.S.C. §102(e) at least for claims 1, 14, and 15.

With regard to independent claim 17, Cohen does not disclose *inter alia* the feature of a limited-use credit card number, wherein said limited use credit card number is randomly chosen with respect to said master credit card number, includes identical formatting to said master credit card number and is associated with said master credit card number as recited in independent claim 17. Claim 20 is similar to claim 17, but the limited use credit card number has no mathematical relationship to the master credit card number.

With respect to independent claims 21 and 51, Cohen does not disclose the feature of a limited-use credit card number, wherein the limited-use credit card number are generated by a random, pseudo-random or algorithmic process as recited in claims 21 and 51.

With regard to the 35 U.S.C. §102(e) rejections of claims 39-50, it is respectfully submitted that Cohen fails to teach or suggest all of the claimed features.

For instance, independent claims 39 and 45 recite the feature of "for each master credit card number at the front of the second queue, one or more limited-use credit card numbers from the first queue, wherein said one or more limited-use credit card numbers associated with a same master credit card at different times when the same master credit card number reaches the front of the second queue are random with respect to one another".

The rejection does not address the above feature recited in independent claims 35 and 49. A careful review of Cohen reveals that the above-recited feature

is not disclosed or suggested by Cohen. Accordingly, the rejection of claims 39-50 should be withdrawn.

In summary, Cohen does not disclose all of the features recited in claims 1-11, 13-21, and 28-56. Accordingly, the rejection of claims 1-11, 13-21, and 28-56 should be withdrawn.

Regarding the 35 U.S.C. §103 rejection of claim 12 as being unpatentable over Cohen, it is noted that the Office takes official notice that an ATM may be a dispensing means for credit cards. The Office bases this assertion on the fact that a credit card can be used to communicate with credit card companies, and that the motivation to dispense the credit cards from an ATM would be to better serve customers. The Office apparently relies upon Cohen's disclosure at column 4, lines 1 to 10 as providing the "otherwise" choices as a motivation for taking official notice. However, the portion of Cohen relied upon by the Office discloses that a set of credit cards may be sent along with the customers monthly statement with a credit card encoder that could be attached to a computer and/or the Internet or "otherwise". It is unlikely that an ATM distributor would allow customers to attach encoding devices to the distributor's automatic teller machine. Regardless, it is respectfully requested that the Office provide evidentiary support of his assertion to demonstrate that at the time of the invention, one of ordinary skill in the art would use an ATM machine to dispense credit cards.

Accordingly, the rejection of claim 12 under 35 U.S.C. §103(a) should be withdrawn.

Should any questions arise in connection with this application, or should the Examiner believe a telephone conference would be helpful in resolving any

remaining issues pertaining to this application, the undersigned respectfully requests that he be contacted at the number indicated below.

Respectfully submitted,

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